THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.18137 of 2007

Dated: 28-08-2007

Between:
Md. Fayaz Ahmed

.... PETITIONER

AND

The District Collector and others.

.... RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.18137 of 2007

ORDER:

Petitioner is statedly an Ex-member of Peddapalli Gram Panchayat. He also claims to be the President of Muslim Aquaf Development Committee. It appears, in 1981, the Masjid Committee purchased an extent of Ac.0.10 guntas of land in Survey No.1698 and Ac.0.20guntas of land in 2001 for extension of Idgah in Survey Nos.1698 and 1699. It is alleged that an extent of Ac.0.17 guntas in Survey No.1701, which is adjacent to this land is now allotted for construction of Shadi Khana. Under a panchanama dated 11.9.2003, the Mandal Revenue Inspector handed over the land to the Assistant Engineer(R&B), Peddapally for construction of Shadi Khana. The petitioner herein, submitted an application to the District Collector on 9.1.2001, requesting allotment of the land in Survey No. 1701 for extension of Idgah at market value. The grievance of the petitioner is that though the same is pending, without there being a proper allotment order, the land has been allotted to Shadi Khana. Therefore, he seeks invalidation of the said action in the writ petition.

With the assistance of the learned counsel for the petitioner, this Court has perused the relevant documents. A perusal of the panchanama dated 11.9.2003 would show that the Mandal Revenue Inspector had handed over 954 square yards of land in Survey No. 1701 to the Assistant Engineer (R&B),Peddapally as per the orders of the Mandal Revenue Officer in Memo No.E/180/98, dated 27.6.2003. The petitioner, thereafter made an application on 9.8.2001 to the District collector for allotment of the said land. The land is not allotted to the petitioner and the same is allotted to Shadi Khana. The petitioner's remedy ought to have been to obtain a copy of the allotment order and prefer an appeal before the higher revenue authorities under Section 158 of the Andhra Pradesh (Telangana Area) Land Revenue Act, 1317 Fasli. He, now, approached this Court challenging the allotment of land to Shadi Khana, when the land was already handed over on 11.9.2003. If the petitioner has any grievance about the same, it is still open to him to seek redressal before the Government. The writ petition is misconceived.

With the above observation, the writ petition is dismissed. No costs.

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(V.V.S. RAO,J)

28th August, 2007

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